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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,198

Applicant(s)

SWANSON ET AL.

Examiner

Chandrabas Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 2,14,17,18,22 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15, 16,19-21,23,24 and 26-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/10/2007 have been fully considered but following are not persuasive and others are moot in view of the following rejection. Applicant argues that the communication of primary video stream requires less bandwidth than communication of plurality of video streams. It is implicit that communication of single stream requires less bandwidth than communication of plurality of streams since fewer packets are transmitted in a single stream than plurality of streams.

The amendments made to claims necessitated finality of this rejection.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Applicant needs to write "a plurality of virtual meeting standard **users**" in line 4 of claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 21, 26, 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The term "substantially" in claims 1, 21, 26 and 30 is a relative term, which renders the claims indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would

not be reasonably apprised of the scope of the invention. Examiner cannot conclude what applicant means by substantially less bandwidth since bandwidth has a long range, i.e. 28.8 Kb/s to 300 Gb/s.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. Claims 1, 5, 6, 8-13, 15, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571) and Novaes (USPN 7,009,971).

Regarding claim 1, Shaffer teaches a method for communicating at least one primary data stream to a virtual meeting attendee [Fig. 1A] comprising the steps of: monitoring at least one first video data stream being communicated from each of a plurality of virtual meeting standard to all others of standard users [Fig. 1A, 15a], recognizing at least one primary video data stream from at least one first video data stream being communicated from each of the plurality of standard users and communicating at least one primary data stream but not plurality of first video data streams to at least one virtual meeting primary user [Fig. 1A, 15a]

However, Shaffer does not teach communicating each of the first video data streams from each of the standard users to all others of standard users; and, wherein communication of the primary video stream to at least one primary meeting attendee requires substantially less bandwidth than does communication of plurality of first video streams to each of standard users.

Kuthyar teaches communicating plurality of video stream from each of the users to other users [Fig. 8]. Novaes teaches communication of the primary video stream to at least one

primary meeting attendee requires less bandwidth than does communication of plurality of first video streams to each of standard users [Col. 9, lines 16-23].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate plurality of video stream from each of the users to other users so that each of the plurality of users can see each other during conference [Col. 1, lines 20-24], and transmit primary data stream at less bandwidth so that if a receiving user has lower bandwidth capacity the user can still receive a data stream [Col. 9, lines 5-23].

Regarding claim 5, Shaffer teaches receiving plurality of data streams over a first interface [Fig. 1A, 15a], and communicating primary data stream is done using a second interface [Fig. 1A, 15b, 15c, 15d] while each of at least one first video data streams from each of plurality of standard users continue to be communicated to other standard users using first interface [Fig. 3A, 4 video A].

Regarding claim 6, Shaffer teaches data streams comprise a continuous stream of real-time data contained in discrete packets [Col. 5, lines 13-19] communicated across a packet switched network [Col. 4, lines 1-22].

Regarding claim 8, Shaffer teaches each of the plurality of standard users each comprise a virtual meeting attendee [Fig. 3A, 108-114], the method further comprises the steps of: communicating at least one first audio data stream from each of the standard users to all others of the standard users wherein each of the standard users receives a plurality of first audio streams [Col. 4, lines 38-42]; and, identifying one or more of the at least one first audio data streams as a primary audio data stream and communicating the primary audio data stream but not plurality of

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first audio data streams to the primary user [Col. 2, lines 47-50, **dominant callers A/V stream will be delivered to primary user as shown in Fig. 3B, 108 to 110**]

However, Shaffer does not teach continuing to communicate all of the first audio data streams from each of the standard users to all others of the standard users.

Kuthyar teaches continuing to communicate all of the first audio data streams from each of the standard users to all others of the standard users [Col. 1, lines 20-24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to continue to communicate plurality of audio streams from each of the users to other so that each of them can communicate in a real face-to-face type of meeting [Col. 1, lines 20-24].

Regarding claim 9, Shaffer teaches at least one first video data streams comprise a plurality of video data streams [Fig. 3B, Video A, B streams].

Regarding claim 10, Shaffer teaches the step of monitoring the plurality of video data streams between the standard users is performed using one or more standard ports on a network interface [Fig. 1A, 4 video connections where each connection can be port as applicant describes in the spec submitted in current application, "Those skilled in the art will appreciate that as used herein the term port is intended to be broadly interpreted as a physical or logical destination and/or origination point for communications"] and wherein the step of communicating the primary video data stream to a virtual meeting primary user is performed using a primary port that is different from the one or more standard ports [Fig. 3B, 108 communicates with 110], the virtual meeting primary user in communication with the

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primary port simultaneous with the standard users being in communication with the one or more standard ports **[Fig. 3B, 112 and 114 receive Video A]**.

Regarding claim 11, Shaffer teaches at least one primary data stream includes at least a first and a second primary, video data streams stream that are different from one another **[Fig. 3B, Video B, 3 Video A from 102]**, and wherein the at least one primary user includes at least a first and a second primary user, and wherein the step of communicating at least one primary, video data stream to the at least one primary user includes communicating the first primary video stream but not the second primary user and communicating the second primary video data stream but not the first primary user **[Fig. 3B, communication between 108 and 110]**, while each of the first video data streams continue to be communicated from each of the standard users to all others of the standard users **[Fig. 3B, 112 and 114 receive Video A]**.

Regarding claim 12, Shaffer teaches receiving a primary selection command, and using the command to recognize at least one primary data stream **[Col. 7, lines 27-31]**.

Regarding claim 13, Shaffer teaches receiving the command from one of the standard users **[Col. 7, lines 27-31]**.

Regarding claim 15, Shaffer teaches receiving at least one continuous video data stream from at least one virtual meeting primary user whereby each of the standard users receive a video data stream from the primary user **[Fig. 3A, MCU receives Video A stream from 108 and communicates the stream to 110-114]**.

However, Shaffer does not teach communicating the continuous video data stream to each of the plurality of virtual meeting standard users and receive the first video data stream from all other of standard users.

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Kuthyar teaches communicating the continuous video data stream to each of the plurality of virtual meeting standard users and receive the first video data stream from all other of standard users [Fig. 8].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate plurality of video stream from each of the users to other users so that each of the plurality of users can see each other during conference [Col. 1, lines 20-24].

Regarding claim 19, Shaffer teaches one primary data stream comprises a plurality of primary data streams [Fig. 4B, Multicast Video A, Video B].

8. Claims 3, 4, 20, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571) and Novaes (USPN 7,009,971) as applied to claim 1 above, and further in view of Ho et al. (USPN 7,151,762).

Regarding claim 3, the references teach a method as discussed in rejection of claim 1.

However, the references do not teach each of plurality of first video data streams include an identifier, and wherein the method further includes the step of comparing each of the identifiers to a stored primary data stream identifier to recognize the primary data stream.

Ho teaches each of plurality of first video data streams include an identifier, and wherein the method further includes the step of comparing each of the identifiers to a stored primary data stream identifier to recognize the primary data stream [Col. 5, lines 9-17, Col. 26, lines 6-7 teach virtual stream can be a video stream].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an identifier to recognize the primary data stream so that appropriate QoS parameters can be set for the connection [Col. 5, lines 9-17].

Regarding claim 4, Shaffer teaches first video data streams comprise discretely packetized data in real-time [Col. 6, lines 23-27].

However, Shaffer does not teach identifiers comprise information from a stream header included with each packet.

Ho teaches identifiers comprise information from a stream header included with each packet [Col. 5, lines 10-15].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include identifier in each packet so that QoS parameters associated with the packet can be identified from a plurality of packets [Col. 5, lines 10-15].

Regarding claim 20, Shaffer teaches a method for communicating one or more primary data streams over a network [Fig. 1A] comprising the steps of: receiving at least one first streaming real-time video data signal and at least one first streaming real-time audio data signal from each of a plurality of standard users connected by a network and communicating at least one first streaming real-time video data signal and the at least one first streaming real-time audio data signal to all others of the plurality of standard users over the network [Col. 3, lines 26-34], the first streaming real-time video and audio data signals each comprising discretely packetized data [Col. 6, lines 23-27], each of the plurality of standard users connected to the network via a connection having at least a first bandwidth capacity [Col. 3, lines 26-34, **each link has a bandwidth limit**]; receiving a primary selection command that identifies at least one of the first

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streaming real-time video data signal and the first streaming real-time audio signal originating from one of the standard users as primary video and audio data signals **[Col. 7, lines 27-31]**; using the primary selection command to identify the at least one primary audio and at least one primary video data signals from the first streaming real-time video data signals and the first streaming real-time audio signal from the standard users **[Col. 7, lines 34-48]**; and, communicating the at least one primary video and at least one primary audio but not the first streaming real-time video or audio data signals to at least one primary user over the network **[Fig. 5B, 554, Point to Point connection will only send video and audio to point to point connections and not other connections]**. Novaes teaches primary user is connected to the network with a connection having a bandwidth capacity of less than the first band capacity **[Col. 9, lines 16-23]**. Kuthyar teaches each of the standard users continues to communicate the first real-time streaming video and audio data signals to all others of the standard users **[Fig. 8]**.

However, Shaffer does not teach each of the at least one first streaming real-time video data signals and at least one streaming real-time audio data signal having a unique identifier; and each of the standard users continue to communicate the first real-time streaming video and audio data signals to all others of the standard users, at least one primary user connected to network with a connection having a bandwidth capacity of less than the first bandwidth capacity.

Ho teaches at least one first streaming real-time video data signals and at least one streaming real-time audio data signal having a unique identifier **[Col. 5, lines 9-17, Col. 26, lines 6-7 teach virtual stream can be a video stream]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an identifier to recognize the primary data stream so that appropriate QoS

parameters can be set for the connection [Col. 5, lines 9-17], communicate the first real-time streaming video and audio signals to all other users so that each of the plurality of users can see each other during conference [Col. 1, lines 20-24], and transmit primary data stream at less bandwidth so that if a receiving user has lower bandwidth capacity the user can still receive a data stream [Col. 9, lines 5-23].

Regarding claim 30 Novaes teaches the communication of primary video and primary audio data signals to the at least one primary user requires less bandwidth than communication of the first streaming video and audio data signals to each of the standard users [Col. 9, lines 16-23].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate primary video and audio data stream at less bandwidth so that if a receiving user has lower bandwidth capacity the user can still receive a data stream [Col. 9, lines 5-23].

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571) and Novaes (USPN 7,009,971) as applied to claim 6 above, and further in view of Dobbins et al. (USPN 7,193,996).

Regarding claim 7, the references teach a method as discussed in rejection of claim 6.

However, the references do not teach each packet has a header portion that identifies source of the data stream.

Dobbins teaches each packet has a header portion that identifies source of the data stream [Fig. 3, 166].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a header portion that identifies source of the data stream so that source of a packet can be determined **[Abstract]**.

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571) and Novaes (USPN 7,009,971) as applied to claim 1 above, and further in view of Sastry et al. (USPN 7,263,063).

Regarding claim 16, the references teach a method as discussed in rejection of claim 1.

However, the references do not teach identifying at least one primary user by determining that the bandwidth capacity of the at least one primary user is below that required to receive all of the plurality of first video streams being communicated between the standard users.

Sastry teaches identifying at least one primary user by determining that the bandwidth capacity of the at least one primary user is below that required to receive all of the plurality of first video streams being communicated between the standard users **[Col. 15, lines 61-67 – Col. 16, lines 1-16, Sastry teaches priority is given to a stream which is operating at minimum bandwidth in lines 5-11]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify primary user by bandwidth capacity that is below other users' bandwidth capacity so that departure rate of packets to that class can be controlled when the primary user is at minimum bandwidth **[Col. 3, lines 14-17]**.

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Novaes (USPN 7,009,971).

Regarding claim 21, Shaffer teaches a computer program product for communicating one or more primary data streams during a virtual meeting, the computer program product comprising computer readable instructions stored on a computer readable medium, the instructions when executed causing one or more computers [**Col. 4, lines 46-50**] to perform the steps of: communicate a plurality of continuous real-time data streams that include discretely packetized video and audio data between a plurality of standard users [**Fig. 3A, Col. 6, lines 23-27**] wherein each of the standard users receives video and audio data from all others of the standard users [**Fig. 4B, Video A, Col. 6, lines 25-27**]; identify a primary subset of the plurality of continuous real-time data streams and to communicate the primary subset to one or more primary users [**Col. 3, lines 36-41**] while continuing to communicate the plurality of continuous real-time data streams to the plurality of standard users from the network interface wherein each of the standard users receives a plurality of real-time data streams and [**Fig. 3A, Video A**].

However, Shaffer does not teach communication of the primary subset to one or more primary users requires less bandwidth than communication of the plurality of real-time data streams to each of the standard users.

Novaes teaches communication of the primary video stream to at least one primary meeting attendee requires less bandwidth than does communication of plurality of first video streams to each of standard users [**Col. 9, lines 16-23**].

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit primary data stream at less bandwidth so that if a receiving user has lower bandwidth capacity the user can still receive a data stream [Col. 9, lines 5-23].

12. Claims 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Novaes (USPN 7,009,971) as applied to claim 21 above, and further in view of Ho et al. (USPN 7,151,762).

Regarding claim 23, the references teach a computer program product as discussed in rejection of claim 21.

However, the references do not teach receiving a primary stream identification command that includes one or more stored primary stream identifiers.

Ho teaches receiving a primary stream identification command that includes one or more stored primary stream identifiers [Col. 5, lines 9-17].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to receive a primary stream identification command so that appropriate QoS parameters can be set for the connection [Col. 5, lines 9-17].

Regarding claim 24, Ho teaches primary stream identification command can be changed to select a second primary subset after receiving a second primary identity change command [Col. 5, lines 9-10].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have primary stream identification command so that when new session is started primary user can be identified [Col. 5, lines 4-9].

13. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Novaes (USPN 7,009,971) and Ho et al. (USPN 7,151,762).

Regarding claim 26, Shaffer teaches a method for communicating one or more primary video data streams during a virtual meeting **[Fig. 1A]** comprising the steps of: linking a conference interface with a plurality of standard virtual meeting attendees over a network using at least one first port to the standard users **[Fig. 3B, 106 is linked to 112 and 114]**; linking the conference interface with at least one primary meeting attendee over the network using at least one primary port that is different from the at least one first port **[Fig. 3B, 108 is linked to 103 from a LAN Hub with different port]**; receiving a plurality of packet based real-time data streams from each of the plurality of standard meeting attendees with the at least one first port **[Fig. 3A, Col. 5, lines 14-19 describe the data is packetized]**, each of the plurality of real-time data streams containing video data **[Fig. 3A, Video A]**, communicating the plurality of real-time data streams from each of the plurality of standard meeting attendees to all others of the plurality of standard meeting attendees **[Fig. 3A, Video A is delivered from 108 to 110-114]**; monitoring the plurality of real-time data streams received from each of the plurality of standard meeting attendees over at least one first port **[Col. 6, lines 26-41]**; communicating the primary stream to the primary meeting attendee using the primary port **[Fig. 3A, Video A is being communicated back to 108 who is primary attendee]** while continuing to communicate the plurality of read time data streams to each of the standard users using at least one first port **[Fig. 3B, Video A transmitted from 106]**. Novaes teaches communication of the primary video stream to at least

one primary meeting attendee requires less bandwidth than does communication of plurality of first video streams to each of standard users [Col. 9, lines 16-23].

However, Shaffer does not teach each stream of data has a unique identifier; comparing the unique identifier from each of the plurality of real-time data streams to a stored primary stream identifier, categorizing any of the real-time data streams having an identifier matching the primary identifier as a primary data stream, and communication of the primary stream to the primary meeting attendee requires less bandwidth than does communication of the plurality of real time data streams to each of the standard users.

Ho teaches each stream of data has a unique identifier [Col. 5, lines 9-10]; comparing the unique identifier from each of the plurality of real-time data streams to a stored primary stream identifier, categorizing any of the real-time data streams having an identifier matching the primary identifier as a primary data stream [Col. 5, lines 9-17].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an identifier to recognize the primary data stream so that appropriate QoS parameters can be set for the connection [Col. 5, lines 9-17] and to transmit primary data stream at less bandwidth so that if a receiving user has lower bandwidth capacity the user can still receive a data stream [Col. 9, lines 5-23].

14. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571) and Novaes (USPN 7,009,971) as applied to claim 1 above, and further in view of Baker (USPN 7,224,382).

Regarding claim 27, the references teach a method as discussed in rejection of claim 1.

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However, the references do not teach providing a list to the at least one primary user, the list identifying each of the plurality of first video data streams being communicated between the standard users whereby the primary user may select one or more of the first plurality of streams from the list for viewing as the primary stream.

Baker teaches teach providing a list to the at least one primary user, the list identifying each of the plurality of first video data streams being communicated between the standard users whereby the primary user may select one or more of the first plurality of streams from the list for viewing as the primary stream [Col. 23, lines 19-26].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to select from plurality of streams to view as a primary stream so that users can manually select views [Col. 11, lines 54-58].

Regarding claim 28, Baker teaches list includes video images from each of plurality of first video data streams [Col. 23, lines 26-30].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include video images so that users can select objects from computer display [Col. 23, lines 26-30].

Regarding claim 29, Baker teaches list includes thumbnail images from each of plurality of first video data streams [Col. 23, lines 26-30].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include thumbnail images so that users can select objects from computer display [Col. 23, lines 26-30].

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15. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Kuthyar et al. (USPN 6,075,571), Novaes (USPN 7,009,971) and Ho et al. (USPN 7,151,762) as applied to claim 20 above, and further in view of Baker (USPN 7,224,382).

Regarding claim 31, the references teach a method as discussed in rejection of claim 20.

However, the references do not teach communicating a list to at least one primary user containing video images of each of the first streaming video data signals from each of the standard users; and wherein the primary selection command comprises a selection of at least one of the video images from the list by the at least one primary user.

Baker teaches communicating a list to at least one primary user containing video images of each of the first streaming video data signals from each of the standard users [Col. 23, lines 19-30]; and wherein the primary selection command comprises a selection of at least one of the video images from the list by the at least one primary user [Col. 23, lines 26-30].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to select from plurality of streams to view as a primary stream so that users can manually select views [Col. 11, lines 54-58].

16. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (USPN 6,775,247) in view of Novaes (USPN 7,009,971) as applied to claim 21 above, and further in view of Baker (USPN 7,224,382).

Regarding claim 32, the references teach a method as discussed in rejection of claim 21.

However, the references do not teach communicating a list of continuous real-time data streams to the one or more primary users, the list including thumbnail images of the real time video data streams whereby the one or more primary users may select the primary subset from the list.

Baker teaches communicating a list of continuous real-time data streams to the one or more primary users, the list including thumbnail images of the real time video data streams whereby the one or more primary users may select the primary subset from the list [Col. 23, lines 19-30].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to select from plurality of streams to view as a primary stream so that users can manually select views [Col. 11, lines 54-58].

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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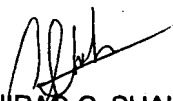
however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrahas Patel whose telephone number is 571-270-1211. The examiner can normally be reached on Monday through Thursday 7:30 to 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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